

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**FIRST TENNESSEE BANK
NATIONAL ASSOCIATION,**

Plaintiff,

v.

**SERVICE FOODS, INC., d/b/a
Blue Ribbon Foods, SERVICE
FOODS SOUTHERN DIVISION,
LLC, d/b/a Southern Foods at
Home, H-SON FINANCIAL,
INC., d/b/a Jefferson Financial,
HAROLD T. POUNDERS, and
KEITH KANTOR,**

Defendants.

Case No. 1:15-cv-02940-CAP

CONSENT ORDER

Having read and considered the Joint Motion Staying Proceedings and for Administrative Closure of Case (the "Joint Motion") filed by Plaintiff First Tennessee Bank National Association ("First Tennessee"), Defendant Harold T. Pounders ("Pounders"), and Defendant Keith Kantor ("Kantor") and having found good cause to grant the requested relief, IT IS HEREBY ORDERED as follows:

1. The Joint Motion is GRANTED as set forth below.

2. Effective upon the entry of this Order and subject to paragraphs 3 and 4 below, all further pretrial proceedings in this case are stayed until further order of the Court including, but not limited to, the discovery deadline and any other pretrial deadlines set forth in the Court's previous scheduling order(s).

3. Notwithstanding paragraph 2 above, First Tennessee shall be entitled to complete the depositions of Michael Cohen and Stu Kagan, consistent with the Court's ruling on February 7, 2018 [Dkt. No. 361] granting in part First Tennessee's motions to compel their deposition testimony before this case is administratively closed by the Clerk's Office. In the event further action from the Court is necessary to complete these two depositions, First Tennessee shall also be entitled to bring motions and seek relief from the Court with respect to these depositions before this case is administratively closed by the Clerk's Office.

4. Notwithstanding paragraph 2 above, First Tennessee shall be entitled at all times to conduct post-judgment discovery and otherwise take any and all lawful action to collect on its judgment against Kantor [Dkt. No. 328]. First Tennessee may also file motions and seek additional relief from the Court in aid of its collection of the judgment against Kantor, in its discretion, including but not limited to (a) seeking to re-open this case for the limited purpose of adjudicating post-judgment discovery and collection matters, and (b) seeking subsequent

administrative closure of this case following the adjudication of such post-judgment discovery and collection matters.

5. Upon First Tennessee's completion of the depositions of Michael Cohen and Stu Kagan, the moving parties shall present to the Court a Consent Order administratively closing this case.

6. The Court acknowledges First Tennessee and Pounders have entered into a Settlement and Limited Forbearance Agreement dated as of June 14, 2018, and such Agreement addresses circumstances in which First Tennessee and/or Pounders may seek to reopen this case after it has been administratively closed, in addition to the circumstances addressed in paragraph 4 above. Therefore, the Court orders that First Tennessee and Pounders are also authorized to move to reopen this case in accordance with the terms of such Agreement.

7. In the event this case is reopened, First Tennessee, Pounders, and Kantor agree that the discovery period shall terminate ninety (90) days after the Court orders this case reopened and a proposed joint scheduling order will be submitted to the Court within thirty (30) days after the Court orders this case reopened.

[Signatures on Following Page]

SO ORDERED this 20th day of JULY, 2018.

/s/ CHARLES A. PANNELL, JR.
CHARLES A. PANNELL, JR.
United States District Judge

CONSENTED TO BY THE FOLLOWING COUNSEL OF RECORD:

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